

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

CHARLTON REED TIPTON,

Plaintiff,

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SA-21-CV-00493-FB

VS.

PHONSO RAYFORD, CHRISTOPHER PAULEY, CAPTAIN, TEXAS DEPARTMENT OF CRIMINAL JUSTICE; RUTH E. TRICE, CAPTAIN OF CORRECTIONAL OFFICERS; AND LORRAINE SALAS, GRIEVANCE INVESTIGATOR II;

Defendants.

ORDER

Before the Court in the above-styled cause of action is Plaintiff's Motion for Leave to Amend his Complaint [#57]. By his motion, Plaintiff asks the Court for leave to file a second amended complaint. The existing scheduling order in this case imposes a deadline of July 8, 2022, to file any motions for leave to amend pleadings. Plaintiff timely filed the motion for leave to amend. Although the certificate of conference in the motion indicates it is opposed, Defendants have not filed a response in opposition. Any response opposing the relief requested in the motion was due on or before July 15, 2022. *See* W.D. Tex. Loc. R. CV-7(d) (responses to case-management and discovery motions due within seven days of filing). The Court will therefore construe the motion as unopposed and grant the requested leave. *See id.*

IT IS THEREFORE ORDERED that Plaintiff's Motion for Leave to Amend his Complaint [#57] is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff is granted leave to file his Third Amended Complaint.

SIGNED this 18th day of July, 2022.


ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE